

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GILBERT M. MARTINEZ,

Plaintiff,

v.

SARAI BERRIOS,

Defendant.

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CIVIL ACTION NO. 18-985

ORDER

AND NOW, this 22nd day of March, 2018, after considering the motion to proceed *in forma pauperis*, the proposed complaint, and the “Motion for Injunction Relief Memorandum of Law in Support” filed by the *pro se* plaintiff, Gilbert M. Martinez (Doc. No. 1); and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The motion to proceed *in forma pauperis* (Doc. No. 1) is **GRANTED** and the plaintiff has leave to proceed *in forma pauperis*;
2. The complaint (Doc. No. 1-1) is **DISMISSED WITHOUT PREJUDICE**;
3. The plaintiff may file an amended complaint within thirty (30) days of the date of this order. Any amended complaint must clearly state the basis for the plaintiff’s claims against the defendant. Upon the filing of an amended complaint, the clerk of court shall not make service until so ordered by the court;
4. If the plaintiff fails to file a timely amended complaint in accordance with paragraph 3 of this order, the court may dismiss his case for failure to prosecute without further notice to him; and

5. The “Motion for Injunction Relief Memorandum of Law in Support” (Doc. No. 1-3) is **DENIED WITHOUT PREJUDICE**.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.